

# *Student Rights and Responsibilities*

## **STUDENT RIGHTS**

### **THE RIGHT TO PETITION FOR SPECIFIC CONSIDERATION •**

A student may petition for issues related to specific courses (i.e. grade correction, course repeat, and withdrawal according to Title 5 regulations and YCCD Board Policy).

Issues that relate to missed deadlines and graduation requirements are not petitionable.

Petitions are reviewed by the Petitions Committee, Director of Admission and Records, or college designee. Petitions are available in the Enrollment Services Office, located on the first floor of the Student Services Building, East Campus or by visiting our website <http://www.mjc.edu/student-services/enrollment/petitions.php>

### **THE RIGHT TO CHALLENGE A PREREQUISITE •**

Any student may challenge a prerequisite on the grounds that (1) it was not established in accordance with the District's policy; (2) it is in violation of Title 5; (3) it is discriminatory; (4) student can succeed even though student has not completed the prerequisite; or (5) student will be subject to undue delay because the prerequisite has not been made reasonably available. To challenge a prerequisite, the student must complete a Prerequisite Challenge Form (available in the division office for the discipline of the course to be challenged) and state the basis for the challenge. A committee from the division in which the class is offered will review each petition and render a decision within five working days. It is the responsibility of the student to provide information that supports the challenge.

## **STUDENT COMPLAINTS**

Students who have general complaints regarding Modesto Junior College may follow the established complaint process. The student may visit the link below to access the complaint form and additional information about the process.

[mjc.edu/student-services/complaints](http://mjc.edu/student-services/complaints)

## **STUDENT RESPONSIBILITIES**

### **ENROLLMENT RESPONSIBILITIES •**

Modesto Junior College strives to make students aware of the varied educational programs that it offers and to provide smooth access to these programs. Once enrolled, the college provides many services to ensure success. Each student is required to:

- Express at least a broad educational intent upon admission (educational goal and educational program)
- Declare a specific educational goal by the time 15 units are earned
- Participate in assessment, orientation, counseling and advising prior to registration
- Complete an educational plan with a counselor in the semester following the completion of 15 units
- Diligently attend class
- Complete assigned work
- Abide by the Student Code of Conduct
- Read and obey all published college rules and regulations
- Officially enroll in every class before the "add" deadline date and pay all fees within 24 hours of enrollment
- Complete courses and maintain progress toward an educational goal according to standards established by the college
- Inform the Enrollment Services Office of changes in personal data (name, mailing address, email address, phone number(s), major goal, educational status, etc.)
- Enroll in each class
- Complete each class or withdraw officially
- Submit legal, not fraudulent documents

### **ATTENDANCE •**

All students enrolled at Modesto Junior College are expected to be punctual and attend classes regularly. Instructors are encouraged to announce to their students their policies regarding excessive absences or tardiness at the beginning of the semester. When an instructor determines that a student's absences are excessive, the instructor may drop the student from the class. It is the student's responsibility to discuss anticipated and/or extensive absences with the instructor. No absence relieves the student of the responsibility of completing all work assigned. Any student who fails to attend class regularly may be dropped; however, it is the responsibility of the student to complete the course or to officially withdraw from a class. Tardiness may be treated as an absence.

### **ACADEMIC FREEDOM •**

Students have the right to listen, the right to decide, the right to choose, the right to reject and the right to express and defend individual beliefs. As members of the MJC community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

The educational purpose of the college is best served by this freedom of expression. Students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled. Student performance will be evaluated on a broad academic basis, not on opinions or conduct in matters unrelated to academic standards.

# Academic Integrity

The Academic Senate at MJC shares the original jurisdiction for conduct violations in the area of academic integrity. The Academic Senate at MJC has defined academic integrity and identified possible means for maintaining academic integrity at the College.

## THE FOLLOWING ARE VIOLATIONS OF ACADEMIC INTEGRITY:

- **Cheating:** Intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise; misrepresenting or non-reporting of pertinent information in all forms of work submitted for credit.
- **Facilitating Academic Dishonesty:** Intentionally or knowingly helping, or attempting to help, another to violate a provision of the institutional code of academic integrity.
- **Plagiarism:** The deliberate adoption or reproduction of ideas, words or statements of another person as one's own, without acknowledgement. This includes all group work and written assignments.

## VIOLATIONS OF ACADEMIC INTEGRITY

The grading of a student's work rests on the fundamental idea that an instructor is evaluating a student's own work, so cheating or plagiarism demonstrates a failure to complete this most basic requirement of any course. Thus a faculty member may administer academic consequences for violating the Academic Integrity Policy ranging from partial credit to an F on the assignment or exam.

The instructor may also consider that a student's violation of academic integrity should be a consideration for disciplinary measures. Disciplinary action for violating academic integrity is administered by the Student Discipline Officer under Board Policy 5500: Standards of Conduct.

## ACADEMIC INTEGRITY IN COURSES

Academic areas may develop for their faculty and students a statement of the application of the Academic Integrity Procedure in their courses; and each faculty member is encouraged to include in his/her introduction to a course:

- A statement of the application of the Academic Integrity Procedure within his/her course.
- A statement notifying students that violations of the Academic Integrity Procedure will be reported.

## DUE PROCESS FOR VIOLATIONS OF ACADEMIC INTEGRITY

1. *Students shall be given notice of the violation and,*
2. *Students shall be given an opportunity to respond to the allegations.*

*MJC Academic Senate, Spring 2007*

# Code of Conduct

Modesto Junior College under Yosemite Community College District Board Policy and Procedure 5500, Standards of Conduct has specified standards of student behavior which it considers essential to its educational mission and its campus life. These regulations are designed to represent reasonable standards of conduct. The Student Code of Conduct governs the behavior of students on campus and at facilities controlled by the district or college, and at college-sponsored activities. Violations of the codes may subject individuals to disciplinary action, which is consistent with the requirements of due process. The following student conduct violation(s) conduct will constitute good cause for disciplinary action:

## CONDUCT VIOLATIONS INCLUDE:

1. *Causing, attempting to cause, or threatening to cause physical injury to another person.*
2. *Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from an appropriate District employee, which is concurred in by the college president or designee.*
3. *Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code, Section 11014.5.*
4. *Committing or attempting to commit robbery or extortion.*
5. *Causing or attempting to cause damage to District property or to private property on campus.*
6. *Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen district property or private property on campus.*
7. *Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.*
8. *Committing sexual harassment as defined by law or by District policies and procedures.*
9. *Engaging in harassing or discriminatory behavior based on race, religion, creed, color, national origin, ancestry, disability, sex (i.e. gender), marital status or sexual orientation or any other status protected by law.*
10. *Willful misconduct which results in injury or death to a student or to college personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District or on campus.*
11. *Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.*
12. *Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.*
13. *Dishonesty; forgery; alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the district.*
14. *Unauthorized entry upon or use of college facilities.*
15. *Lewd, indecent or obscene conduct on district-owned or controlled property, or at district-sponsored or supervised functions.*
16. *Engaging in expression which is obscene, libelous or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises; or the violation of lawful district administrative procedures; or the substantial disruption of the orderly operation of the District.*
17. *Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.*
18. *Obstruction or disruption of teaching, research, administration, disciplinary proceedings, or other college activities, including its public service functions, or any other authorized activities. Pagers, cellular telephones and other similar electronic devices must be turned off in classrooms and other*

*campus sponsored events unless authorized by an appropriate faculty or staff member.*

## Disciplinary Actions Resulting From Conduct Violations

Violators of the Student Code of Conduct are subject to the following types of disciplinary action, which will be administered by appropriate College personnel:

DISCIPLINARY ACTION	DEFINITION
<b>Informal Reprimand:</b>	<i>An oral admonition or warning to cease and desist from conduct that has been determined to violate the standards of conduct.</i>
<b>Formal Reprimand:</b>	<i>Written admonition or warning to cease and desist from conduct that has been determined to violate the standards of conduct.</i>
<b>Removal from Class:</b>	<i>The involuntary removal of a student from class by an Instructor for a maximum period of two consecutive class sessions.</i>
<b>Removal from Facility:</b>	<i>The involuntary removal of a student by an administrator from a District or College facility, or facility under the control of the District or College for a maximum period of two consecutive days.</i>
<b>Loss of Privileges:</b>	<i>Disciplinary action involving the loss of certain student privileges, such as eligibility to participate in extracurricular activities, for a stated period of time.</i>
<b>Disciplinary Probation:</b>	<i>A status between good standing and suspension or expulsion. It covers a stated trial period and disciplinary conditions required of the Yosemite Community College District.</i>
<b>Disciplinary Suspension:</b>	<i>The involuntary removal of a student for good cause from one or more classes or from the college by action of the Student Discipline Officer for a limited period of time, as follows:</i>
<b>Short-Term Suspension:</b>	<i>Removal from one or more classes for a period of up to 10 consecutive days of instruction;</i>
<b>Long-Term Suspension:</b>	<i>Removal from one or more classes for the remainder of the academic term; Removal from one or more classes for one or more academic terms; or Removal from all classes and activities of the College for one or more academic terms.</i>
<b>Immediate Interim Suspension:</b>	<i>The Student Discipline Officer may order the immediate suspension of a student where there is reasonable cause to believe that immediate suspension is required to protect lives or property and to ensure the maintenance of order.</i>
<b>Expulsion:</b>	<i>A student may be expelled for good cause where other means of correction have failed to bring about proper conduct or when the presence of the student causes a continuing danger to the physical safety of students or others. Only the Board of Trustees may expel a student.</i>

*The Standards of Conduct Policy and Procedures are available at:  
<https://www.yosemite.edu/trustees/boardpolicy>*

# Illegal Distribution of Copyrighted Material

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Modesto Junior College students are prohibited from using the Yosemite Community College District (YCCD) information network to illegally download or share music, video and all other copyrighted intellectual property. Modesto Junior College supports the Higher Education Opportunity Act and Digital Millennium Copyright Act, including efforts to eliminate the illegal distribution of copyrighted material. Under the law, college administrators may be obligated to provide copyright holders with information about users of the YCCD information network who have violated the law. Be aware that illegal forms of downloading and file sharing as well as the unauthorized distribution of copyrighted materials are violations of the law and may subject you to academic sanctions from the college as well as criminal and civil penalties, including a lawsuit against you by the Recording Industry Association of America (RIAA). In addition to being illegal, file sharing drains the YCCD network's bandwidth, which slows computer connections for students and employees who are using the network for legitimate academic purposes and ultimately costs the college money. The illegal downloading and sharing of music or other copyrighted intellectual property is a form of theft and is prohibited under the Student Code of Conduct. Additional information is available at [www.riaa.com](http://www.riaa.com) (teacher/student information). There are plenty of easy, affordable ways to get music online legally. To protect their intellectual property, companies have licensed hundreds of digital partners that offer a range of legal downloading options, including download and subscription services, legitimate peer-to-peer services, video-on-demand, podcasts and CD kiosks. For a list of sources that offer legal downloading sites, access [www.riaa.com](http://www.riaa.com).

## ***NONDISCRIMINATION AND HARASSMENT POLICIES***

### **NONDISCRIMINATION**

Yosemite Community College District Board Policy 3410

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

References: Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.; Title 5 Sections 53000 et seq. and 59300 et seq.; Penal Code Section 422.55; Government Code Sections 12926.1 and 12940 et seq.; Title 2 Sections 10500 et seq.; ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c)

## PROHIBITION OF HARASSMENT

Yosemite Community College District Board Policy 3430

The District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District.

This procedure and the related policy protects students, employees, unpaid interns, and volunteers in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

## GENERAL HARASSMENT

Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, military and veteran status, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where, in aggregate, the incidents are sufficiently pervasive, persistent, or severe that a reasonable person with the same characteristics as the victim of the alleged harassing conduct would be adversely affected to a degree that interferes with his or her ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource. Additional definitions and information about sex/gender harassment, discrimination and sexual misconduct can be found in YCCD Board Policy 3540.

Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

- Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race, gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race, nationality, sexual orientation or other protected status.
- Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status.
- Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

## STUDENTS RIGHTS AND RESPONSIBILITIES

- **Environmental:** A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his or her immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

### SEX/GENDER HARASSMENT, DISCRIMINATION AND SEXUAL MISCONDUCT

Yosemite Community College District Board Policy 3540

Members of the Yosemite Community College District community, guests and visitors have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The District has zero tolerance for sex/gender misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the reporting party (complainant) and community are remedied, including serious sanctions if a responding party (accused) is found to have violated related District policy. District policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

The District's Title IX Administrator oversees compliance with all aspects of the sex/gender harassment, discrimination and misconduct policy. The Administrator reports directly to the District Vice Chancellor of Human Resources, and is housed at the District office. Anyone wishing to make a report relating to discrimination or harassment may do so by reporting the concern to the District Title IX Administrator or the college's Title IX Campus Coordinator:

Lloyd Jackson  
District Title IX/Civil Rights Compliance Coordinator  
Yosemite Community College District  
2201 Blue Gum Ave., Modesto, CA 95358  
(209) 575-6310  
jacksonl@yosemite.edu

Flerida Arias  
Vice President of Student Services/Title IX Campus Coordinator  
Modesto Junior College  
435 College Ave., Modesto, CA 95350  
(209) 575-6060  
ariasf@yosemite.edu

## DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

Yosemite Community College District Board Policy 3435

### COMPLAINTS

Any person who has suffered harassment, discrimination, or retaliation may file a formal or informal complaint of harassment, discrimination, or retaliation.

A formal complaint is a written and signed statement filed with the District or the State Chancellor's Office that alleges harassment, discrimination, or retaliation in violation of the District's Board Policies, Administrative Procedures or in violation of state or federal law.

An informal complaint is any of the following: (1) An unwritten allegation of harassment, discrimination, or retaliation; (2) a written allegation of harassment, discrimination, or retaliation that falls outside the timelines for a formal complaint; or (3) a written complaint alleging harassment, discrimination, or retaliation filed by an individual who expressly indicates that he/she does not want to file a formal complaint.

### INFORMAL COMPLAINTS

Any person may submit an informal complaint to the Vice Chancellor of Human Resources or any other District or college administrator. Administrators receiving an informal complaint shall immediately notify the Vice Chancellor of Human Resources in writing of all pertinent information and facts alleged in the informal complaint.

Upon receipt of an informal complaint, the Vice Chancellor of Human Resources will notify the person bringing the informal complaint of his/her right to file a formal complaint, if the incident falls within the timeline for a formal complaint, and explain the procedure for doing so. The complainant may later decide to file a formal complaint, if within the timelines to do so. If the individual chooses not to file a formal complaint, or if the alleged conduct falls outside the timeline to file a formal complaint, the Vice Chancellor of Human Resources shall consider the allegations contained in the informal complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter, or a fact-finding investigation.

Investigation of an informal complaint will be appropriate if the Vice Chancellor of Human Resources determines that the allegation(s), if proven true, would constitute a violation of the District policy prohibiting harassment, discrimination, or retaliation. The Vice Chancellor of Human Resources will explain to any individual bringing an informal complaint that the Vice Chancellor of Human Resources may decide to initiate an investigation, even if the individual does not wish the Vice Chancellor of Human Resources to do so. The Vice Chancellor of Human Resources shall not disregard any allegations of harassment, discrimination, or retaliation solely on the basis that the alleged conduct falls outside the deadline to file a formal complaint.

### FORMAL COMPLAINTS

Formal Complaints must be filed with the Vice Chancellor of Human Resources or the State Chancellor unless the party submitting the Formal Complaint alleges discrimination, harassment, or retaliation against the responsible District officer, in which case it should be submitted directly to the Chancellor or the State Chancellor.

Formal Complaints should be submitted on the form prescribed by the State Chancellor. A copy of the form is available at the District website.

If any party submits a written allegation of harassment, discrimination, or retaliation not on the form described above, the District will seek to have the individual complete and submit the form. However, if the individual chooses not to do so, the District will attach the written allegation(s) to the form and treat it as a Formal Complaint. In no instance will the District reject a written allegation of harassment, discrimination, or retaliation on the basis that it was not submitted on the proper form.

## STUDENTS RIGHTS AND RESPONSIBILITIES

A Formal Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;
- The complainant must sign and date the Formal Complaint;
- The complainant must file any Formal Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation(s) of discrimination, harassment, or retaliation.
- The complainant must file any Formal Complaint alleging discrimination, harassment, or retaliation in employment within 180 days of the date of the alleged discriminatory, harassing, or retaliatory conduct, except that this period shall be extended by no more than 90 days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.
- If the Formal Complaint does not meet the requirements set forth above, the Vice Chancellor of Human Resources will promptly return it to the complainant and specify the defect. If the sole defect is that the Formal Complaint was filed outside the applicable proscribed timeline, the Vice Chancellor of Human Resources will handle the matter as an informal complaint.

Oversight of Complaint Procedure: The Vice Chancellor of Human Resources, or in the case of sex/gender based harassment or discrimination the Title IX Administrator or Campus Coordinator, is the “responsible District officer” charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned by the Vice Chancellor of Human Resources to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the Vice Chancellor of Human Resources is named in the complaint or implicated by the allegations in the complaint.

Who May File a Complaint: Any student, employee, or third party who believes he/she has been discriminated against, or harassed by, or retaliated against by a student, employee, or third party in violation of this procedure and the related policy.

Where to File a Complaint: A student, employee, or third party who believes he/she has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing.

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he/she must file the complaint on a form prescribed by the State Chancellor’s Office. These approved forms are available at the District’s website and at the State Chancellor’s website.

References: Education Code Sections 212.5, 66281.5 and 67386; Government Code Section 12950.1; Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.; Title 2 Section 11024; 34 Code of Federal Regulations Section 106.8(b)

### FORMAL COMPLAINT INQUIRIES

Inquiries regarding federal laws and regulations concerning non-discrimination in education or the District’s compliance with those provisions may also be directed to:

Office of Civil Rights  
U.S. Department of Education  
50 United Nations Plaza, Mailbox 1200, Room 1545  
San Francisco, CA 94102  
415-486-5570

Department of Fair Employment and Housing  
2218 Kausen Drive, Suite 100  
Elk Grove, CA 95758  
916-478-7251

Chancellor, California Community Colleges  
1102 Q Street  
Sacramento, CA 95811  
916-445-8752

DISCRIMINATION INQUIRIES

In compliance with Title VI of the Civil Rights Act (1964), Title IX of the Educational Amendments (1972), Section 504 of the Rehabilitation Act (1973), Americans with Disabilities Act (1990) (ADA), and Age Discrimination Act (1975), Modesto Junior College does not discriminate on the basis of race, color, national origin, sex, disability, or age in its educational programs or employment. Inquiries concerning the application of these Federal laws to College programs and activities can be directed to the following persons.

Lloyd Jackson Title IX / Civil Rights Coordinator YCCD

[TitleIXCoordinator@yosemite.edu](mailto:TitleIXCoordinator@yosemite.edu)

[www.yosemite.edu/title9/](http://www.yosemite.edu/title9/)

## Discrimination Terms

TERM:	DEFINITION:
<b>Color or Ethnic Group Identification</b>	means the possession of the racial, cultural, or linguistic characteristics common to a racial, cultural, or ethnic group or the country or ethnic group from which a person or his or her forbears originated. (22 California Administrative Code Section 98210(b).)
<b>Religion</b>	includes all aspects of religious observance, practice and belief, including duties of the clergy or elders. A belief is religious if sincerely held and, in the scheme of the believer, holds a place analogous to that filled by the deity of those people whose religion may be more orthodox or more widely accepted. (22 California Administrative Code Section 98220.)
<b>Age</b>	means how old a person is, or the number of elapsed years from the date of a person's birth. (22 California Administrative Code Section 98230(b).)
<b>Sex Discrimination</b>	<ul style="list-style-type: none"> <li>▪ includes any rule, policy, or practice concerning actual or potential parental, family, or marital status which differentiates on the basis of sex or sexual orientation;</li> <li>▪ any rule, policy, or practice concerning disability due to pregnancy, childbirth, recovery from childbirth or termination of pregnancy, or other psychological conditions related to the capacity to bear children not applied under the same terms and conditions and in the same manner as any other rule, policy, or practice relating to any other temporary disability except as otherwise provided by the Fair Employment Practice Act;</li> <li>▪ any rule, policy, or practice which treats men and women differently for purposes of any program or activity on the basis of aggregate statistical characteristics of men or women, whether founded in fact, belief or statistical probability;</li> <li>▪ any rule, policy, practice, or incident which conditions the receipt of any benefit upon entering into, or maintaining, a sexual relationship or participation in sexual activity, or subjects a person to sexual harassment or intimidation such as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. (22 California Administrative Code Sections 98240, 98242, 98244.)</li> </ul>
<b>Sexual Orientation</b>	means a private preference of an individual for heterosexuality, homosexuality, or bisexuality; or a history of such a preference; or an identification with having such a preference.
<b>Physical or Mental Disability</b>	means any physical or mental impairment which substantially limits one or more major life activities.
<b>Disabled Person</b>	means any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.